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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

THE PEOPLE,

Plaintiff and Respondent,

v.

JOANNA KAY DUARTE,

Defendant and Appellant.

B290435

(Los Angeles County
Super. Ct. No. NA107950)

APPEAL from a judgment of the Superior Court of Los Angeles County. Tomson T. Ong, Judge. Affirmed.

Helen Hoeffel, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Joanna Kay Duarte pleaded no contest to one count of carrying a concealed dirk or dagger. The trial court suspended imposition of her sentence and placed her on probation for three years. After Duarte admitted violating her probation, the court terminated probation and imposed a sentence of 16 months in county jail. Duarte appealed and her appointed counsel filed an opening brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*). We affirm.

FACTUAL AND PROCEDURAL BACKGROUND

On November 30, 2017, Duarte was charged by felony complaint with carrying a concealed dirk or dagger (Pen. Code, § 21310; count 1) and unlawful possession, sale, or transportation of tear gas (Pen. Code, § 22900; count 2). As part of a plea deal, count 2 was dismissed and Duarte pleaded no contest to count 1. The court suspended imposition of Duarte's sentence and placed her on formal probation for three years subject to various terms and conditions.

On March 7, 2018, Duarte's case was called for a possible violation of probation after she was charged with unlawful possession of methamphetamine. Duarte failed to appear at the hearing without a sufficient excuse. The court revoked probation and issued a bench warrant for her arrest.

On April 9, 2018, Duarte admitted she violated probation. The court terminated probation and imposed the low term of 16 months on count 1, to be served in county jail. The court awarded Duarte 170 days of custody credit and ordered she pay various fines and fees.

Duarte filed a timely notice of appeal and requested a certificate of probable cause, which the trial court denied. We appointed counsel to represent Duarte on appeal.

Appointed counsel filed an opening brief pursuant to *Wende, supra*, 25 Cal.3d 436, requesting independent review of the record on appeal for any arguable issues. We notified Duarte by letter that she could submit any argument or issues that she wished our court to review. Duarte has not filed any claims or arguments.

DISCUSSION

We have independently reviewed the record on appeal. We find appointed counsel has fulfilled her duty and that no arguable issues exist. (*Wende, supra*, 25 Cal.3d 436; *People v. Kelly* (2006) 40 Cal.4th 106.)

DISPOSITION

The judgment is affirmed.

BIGELOW, P.J.

We concur:

GRIMES, J.

STRATTON, J.